

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**MERCK & CIE,
SOUTH ALABAMA MEDICAL SCIENCE
FOUNDATION and
PAMLAB L.L.C.**

Plaintiffs,

-vs.-

**MACOVEN PHARMACEUTICALS, GNOSIS
S.P.A. GNOSIS USA INC. and
GNOSIS BIORESEARCH S.A.,**

Defendants.

Civil Action No. 6:12-cv-0027

JURY TRIAL DEMANDED

**PLAINTIFFS' NOTICE OF NON-OBJECTION TO DEFENDANTS' REQUEST
FOR STAY PURSUANT TO 28 U.S.C. § 1659 AND RESERVATION OF RIGHTS**

Plaintiffs Merck & Cie, South Alabama Medical Science Foundation and Pamlab L.L.C. ("Plaintiffs") do not oppose the stay sought by Defendants Macoven Pharmaceuticals, L.L.C., Gnosis S.p.A., Gnosis Bioresearch S.A., and Gnosis U.S.A. Inc. ("Defendants") in their Motion to Stay (Dkt. No. 39). By agreeing to this stay, however, Plaintiffs are not waiving any of the claims currently asserted against Defendants and indeed reserve all rights to proceed and pursue any and all claims asserted against Defendants in this litigation upon the completion and/or termination of the proceedings before the International Trade Commission.

Dated: September 18, 2012

Respectfully submitted,

/s/ Dwayne C. Norton

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*Attorneys for Plaintiffs Merck & Cie, Pamlab
LLC and South Alabama Medical Science
Foundation*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service, are being served this 18th day of September, 2012 with a copy of this document via the Court's CM/ECF system.

/s/ Dwayne C. Norton

Dwayne C. Norton